

### REMARKS

In the Office Action, the examiner states that “claims 1-16 are generic to a plurality of disclosed patentably distinct species comprising compositions comprising hyaluronic acid, carboxymethyl cellulose and further comprising Schiff bases, Amadori products, etc.” and that “Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed”.

Applicant respectfully traverses the requirement, insofar as each pending claim encompasses preparations of “glycated chitosan” or “a glycated chitosan polymer”. The claims are not generic to compositions comprising hyaluronic acid or carboxymethyl cellulose. As described in the specification, glycated chitosan comprises the reaction products resulting from the glycation of free amino groups of chitosan with monosaccharides and/or oligosaccharides (see Specification p. 5, lines 7 to p. 8, line 7). Considering the specificity ascribed to the term, Applicant does not believe that the examiner’s search would be unduly extensive or burdensome.

Nevertheless, in response to the Office Action, Applicant elects as a single disclosed species its preferred form of glycated chitosan as disclosed in the specification, namely, the galactose derivative of chitosan, *i.e.* galacto-chitosan (see Specification, pp. 9-11, Examples 4 through 6).

As an aside, in connection with a review of the specification as filed, it was discovered that the diagram mentioned in Example 4 was inadvertently omitted from the application as filed. The specification is amended herein to include the diagram. No new matter is added for at least two reasons: (1) the reaction scheme merely depicts diagrammatically what is explicitly disclosed in the

text of the specification, and (2) the diagram is the same (save for an obvious error correction) as that shown in U.S. Patent No. 5,747,475, which patent is incorporated by reference in the specification as filed (see Specification, p. 5, lines 7-9; see also Col. 11 of the '475 patent).

The new claim is directed to a medicament for providing the sustained release of a therapeutic substance, comprising glycated chitosan having entrapped therein a desired amount of said substance. The new claim is supported in the specification at page 3, lines 4-9 and page 14, lines 8-12. No new matter has been added.

A check is enclosed in payment of the charges for one additional independent claim. To the extent of any fee deficiency, please consider this our authorization to charge the deposit account of the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,

10/15/02  
DATE

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SIGNATURE OF PRACTITIONER

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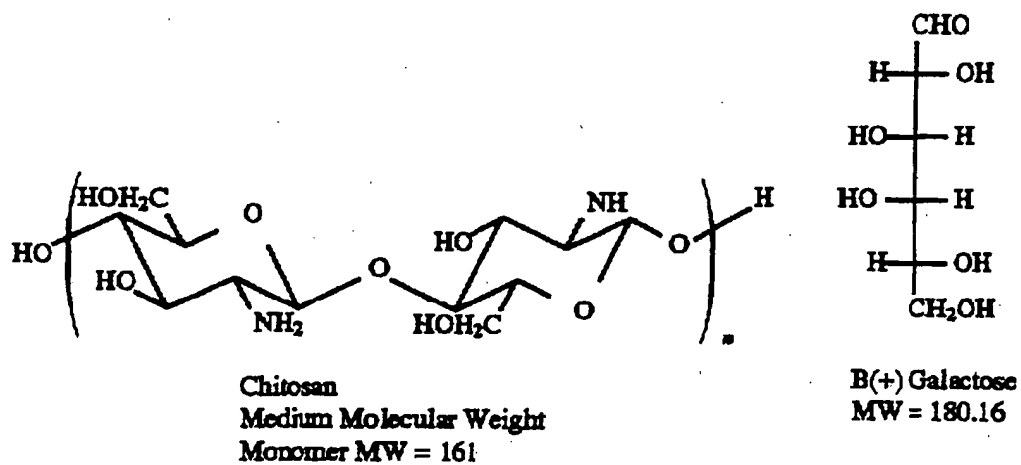
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PATENT TRADEMARK OFFICE

Preparation of Galactochitosan (GC)



1. NaBH<sub>4</sub>/H<sub>2</sub>O  
2. HOAc

